



United States Department of Justice

Office of the United States Attorney
Northern District of California

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November 28, 2017

via email and under seal

The Honorable William Alsup
United States District Judge
450 Golden Gate Avenue San
Francisco, California 94102

Dear Judge Alsup:

You have asked for the position of U.S. Attorney's Office on whether our letter to you dated November 22, 2017, should be unsealed. United States Attorney Brian J. Stretch has been recused from matters related to the civil case, and I have been appointed by the United States Deputy Attorney General to perform the functions of the United States Attorney on matters in which Mr. Stretch has been recused. In that capacity, I write to respectfully request that you do not unseal the November 22, 2017, letter.

The U.S. Attorney's Office, in conformance with provisions of the U.S. Attorney's Manual, generally does not publicly confirm or deny the existence of criminal investigations. One purpose of this practice is to protect the presumption of innocence as to any potential targets; another is to protect the integrity of our investigatory processes. For the reasons that the U.S. Attorney's Manual disfavors public comment on ongoing investigations, we request the Court maintain our letter under seal. Although the letter does not identify the nature of the investigation, the offenses being investigated, or any target or subject of the investigation, we believe that maintaining the letter under seal is consistent with protecting the presumption of innocence and protecting the integrity of our investigation.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Alex G. Tse", with a stylized flourish at the end.

ALEX G. TSE

Attorney for the United States, Acting Under
Authority Conferred by 28 U.S.C. § 515